

Order

Michigan Supreme Court
Lansing, Michigan

February 27, 2007

Clifford W. Taylor,
Chief Justice

131712(49)

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellant
Cross-Appellee,

v

SC: 131712
COA: 259798
St Clair CC: 03-001361-FH

HUGH ROBERT HEDEEN, JR.,
Defendant-Appellee
Cross-Appellant.

On order of the Court, the motion for reconsideration of this Court's October 27, 2006 order is considered, and it is DENIED, because it does not appear that the order was entered erroneously.

WEAVER, J., would grant the prosecutor's motion for reconsideration.

CORRIGAN, J., would grant the motion for reconsideration and states as follows:

I adhere to my view that the trial court did not abuse its discretion in sentencing defendant outside the guidelines for the reasons stated in Justice Weaver's dissent to the order of October 27, 2006, denying leave to appeal in *People v Hedeem*, 477 Mich 898 (2006). The trial court stated substantial and compelling reasons for departing from the guidelines, and the sentence imposed fell within the range of reasonable and principled outcomes. I would, therefore, reinstate the sentence that the trial court originally imposed.

YOUNG, J., would grant the motion for reconsideration and, upon granting reconsideration, would reverse the Court of Appeals.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

February 27, 2007

Corbin R. Davis

Clerk